

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**PARALLEL NETWORKS, LLC**

**Plaintiff**

**vs.**

**ABERCROMBIE & FITCH, ET AL.**

**Defendants**

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**CASE NO. 6:10cv111  
PATENT CASE**

**ORDER**

Plaintiff Parallel Networks, LLC (“Parallel”) originally brought this case as four separate actions, naming over 100 defendants, and alleging infringement of United States Patent No. 6,446,111 (“the ‘111 Patent”) in all four cases. On March 1, 2011, the Court held a status conference in all four cases to discuss the most efficient manner in which to handle this case. Defendants suggested that three claim terms would be case dispositive for nearly all Defendants and requested an early claim construction and summary judgment hearing on these terms. Parallel acknowledged that certain terms would be important to its infringement case. Believing that construing these three limited terms early in the case could resolve several important issues, the Court set this case for an early *Markman* and summary judgment hearing.

On August 12, 2011, the Court issued its *Markman* opinion construing the three limited terms. Doc. No. 566, “CLAIM CONSTRUCTION ORDER”. Based on those constructions, the Court granted summary judgment of non-infringement to 99 of 112 Defendants. *Id.* at 16–17. Parallel then moved the Court pursuant to F.R.C.P. 59(e) to vacate its order granting summary judgment in

favor of 45 Defendants that had previously been granted summary judgment. MOTION at 1. The Court held a hearing and subsequently denied the motion. *See* (Doc. No. 619). To facilitate appeal of this Court's claim construction, Parallel requested—with respect to all Defendants that were granted summary judgment—that the Court: (1) sever those Defendants into a separate case; (2) dismiss those Defendants' counterclaims without prejudice; and (3) enter final judgment in the severed case. The Court agreed with Parallel's proposal and also indicated that to avoid piecemeal litigation, the Court would stay the remaining Defendants until Parallel either decides not to appeal this Court's constructions or the Federal Circuit renders its decision.

At the last hearing, the parties also indicated that there was disagreement regarding whether certain parties were subject to the Court's grant of summary judgement. Accordingly, the Court requested, and the parties submitted, a joint statement identifying three remaining disputes between Parallel and Google, Inc. ("Google"), Onestop Internet, Inc. ("Onestop"), and "Citizen Watch Company of America ("COA"). *See* Doc. No. 622. The parties also provided a list of Defendants that should be severed into a separate case and granted final judgment. *Id.* Parallel, Onestop and COA agree that the Court need not address these disputes prior to Parallel's appeal. *Id.* at 5–6. Google, however, requests that its dispute be resolved now. *Id.* at 1–5.

The issue between Google and Parallel is whether Google's Custom Search Engine ("CSE") was granted summary judgment or remains in the case. *Id.* at 1. Google contends that CSE was granted summary judgment in its entirety, while Parallel contends that the Court's summary judgment does not apply for claims 1, 2, 3, 5, 6, 14, 15, 17, 22, 23, and 26. *Id.* at 2–5. After review of the parties' contentions, the Court declines to resolve this issue at this time. Regardless of the Court's decision on this issue, Google will fall into the category of Defendants that will be stayed

and will not be severed and granted final judgment because Google was not granted summary judgment with regard to some of its other accused websites. *See* 622-2, EXHIBIT B. Once the Federal Circuit has rendered its decision regarding Parallel's appeal, the Court will, if necessary, entertain more thorough briefing on this issue.

Accordingly, the Court **SEVERES** the Defendants listed in Exhibit A attached to this Order, **DISMISSES** the severed Defendants' counterclaims without prejudice, and enters **FINAL JUDGMENT**.

As to the remaining Defendants listed in Exhibit B attached to this Order, the Court **STAYS** this case and **DENIES** all pending motions as **MOOT**, without prejudice to re-urging once the stay is lifted. Parallel is further **ORDERED** to keep the Court apprised of its decision to appeal this Court's claim constructions and any proceedings before the Court of Appeals for the Federal Circuit.

The Court notes that Parallel has filed separate motions regarding Defendants Walt Disney Online (Doc. No. 621) and Russell Brands (Doc. No. 620). Pursuant to the parties' agreement, Defendant Walt Disney Parks and Resorts Online and newly joined Defendant Disney Online will remain in the stayed case, 6:10-cv-111. Defendant Russell Brands and newly joined Defendant Brooks Sports, Inc. will be severed into the separate case.

**So ORDERED and SIGNED this 12th day of January, 2012.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**

# **Exhibit A**

**EXHIBIT A****Group 1**

<b>Party</b>	<b>Granted Summary Judgment</b>
Abercrombie & Fitch Co.	<a href="http://www.abercrombie.com">www.abercrombie.com</a>
adidas America, Inc.	<a href="http://www.adidas.com">www.adidas.com</a>
Aéropostale, Inc.	<a href="http://www.aeropostale.com">www.aeropostale.com</a>
Amazon.com, Inc.	<a href="http://www.amazon.com">www.amazon.com</a> <a href="http://www.amazon.com">www.amazon.com</a> (Today's Deals) <a href="http://www.amazon.com">www.amazon.com</a> (Wishlist) Alexa.com "Graph Widget" A9.com
ASICS America Corporation	<a href="http://www.asicsamerica.com">www.asicsamerica.com</a>
Barnes & Noble, Inc. and Barnesandnoble.com, LLC	<a href="http://www.barnesandnoble.com">www.barnesandnoble.com</a> my.barnesandnoble.com
Bentley Motors Inc. and Bentley Motors Ltd.	<a href="http://www.bentleymotors.com">www.bentleymotors.com</a>
Brain Busters, LLC	<a href="http://www.bustedtees.com">www.bustedtees.com</a>
Brawn, LLC	<a href="http://www.undergear.com">www.undergear.com</a>
Briggs & Stratton Corporation and Briggs & Stratton Power Products Group, LLC	<a href="http://www.homegeneratorsystems.com">www.homegeneratorsystems.com</a> <a href="http://www.brutepower.com">www.brutepower.com</a> <a href="http://www.snapper.com">www.snapper.com</a> <a href="http://www.simplicitymfg.com">www.simplicitymfg.com</a>
Brooks Sports, Inc.	<a href="http://www.brooksrunning.com">www.brooksrunning.com</a>
Cabela's Inc.	<a href="http://www.cabelas.com">www.cabelas.com</a>
Citizen Watch Company of America, Inc.	<a href="http://www.citizenwatch.com">www.citizenwatch.com</a> <a href="http://www.bulovaspaceview.com">www.bulovaspaceview.com</a> <a href="http://www.campanola-timepieces.com">www.campanola-timepieces.com</a> <a href="http://www.citizen-signature.com">www.citizen-signature.com</a> <a href="http://www.citizen-systems.com">www.citizen-systems.com</a>
Coldwater Creek, Inc.	<a href="http://www.coldwatercreek.com">www.coldwatercreek.com</a>
Delta Airlines, Inc.	<a href="http://www.delta.com">www.delta.com</a>
Dillard's, Inc.	<a href="http://www.dillards.com">www.dillards.com</a>
Flairview Travel Pty Ltd.	<a href="http://www.hotelclub.com">www.hotelclub.com</a> <a href="http://www.ratestogo.com">www.ratestogo.com</a>
Flightbookers Ltd.	<a href="http://www.ebookers.com">www.ebookers.com</a>
Harley-Davidson, Inc. and H-D Michigan, Inc.	<a href="http://www.harley-davidson.com">www.harley-davidson.com</a> <a href="http://www.buell.com">www.buell.com</a>
Hayneedle, Inc.	<a href="http://www.hayneedle.com">www.hayneedle.com</a> <a href="http://www.bedsidetables.com">www.bedsidetables.com</a> <a href="http://www.activitytableshop.com">www.activitytableshop.com</a> www.adirondackchairs.com, www.adjustablebarstools.com, www.adulttricyclesdirect.com, www.affordablefutons.com, www.abovegroundswimmingpools.com , www.activitytableshop.com, www.adirondackchairs.com, www.adjustablebarstools.com, www.adulttricyclesdirect.com , www.affordablefutons.com, www.allbiketrailers.com, www.allbraidedrugs.com, www.allespressomachines.com, www.allhydroponics.com,

**EXHIBIT A****Group 1**

	<a href="http://www.allkayaksandcanoes.com">www.allkayaksandcanoes.com</a> , <a href="http://www.allmeatgrinders.com">www.allmeatgrinders.com</a> , <a href="http://www.alloutdoorbenches.com">www.alloutdoorbenches.com</a> , <a href="http://www.allrecyclingbins.com">www.allrecyclingbins.com</a> , <a href="http://www.allsandboxes.com">www.allsandboxes.com</a> , <a href="http://www.alltopiaries.com">www.alltopiaries.com</a> , <a href="http://www.alltrashcans.com">www.alltrashcans.com</a> , <a href="http://www.alltvstands.com">www.alltvstands.com</a> , <a href="http://www.allunicycles.com">www.allunicycles.com</a> , <a href="http://www.allworkbenches.com">www.allworkbenches.com</a> , <a href="http://www.aquariumsdirect.com">www.aquariumsdirect.com</a> , <a href="http://www.babybathsuperstore.com">www.babybathsuperstore.com</a> , <a href="http://www.babybeddingalore.com">www.babybeddingalore.com</a> , <a href="http://www.babygift.com">www.babygift.com</a> , <a href="http://www.babymonitor.com">www.babymonitor.com</a> , <a href="http://www.babyswings.com">www.babyswings.com</a> , <a href="http://www.backgammonplus.com">www.backgammonplus.com</a> , <a href="http://www.badmintonsource.com">www.badmintonsource.com</a> , <a href="http://www.bakersracks.com">www.bakersracks.com</a> , <a href="http://www.banquettables.com">www.banquettables.com</a> , <a href="http://www.barstools.com">www.barstools.com</a> , <a href="http://www.basketballgoals.com">www.basketballgoals.com</a> , <a href="http://www.bathroomlightingsource.com">www.bathroomlightingsource.com</a> , <a href="http://www.bathroomvanities.com">www.bathroomvanities.com</a> , <a href="http://www.beachchairs.com">www.beachchairs.com</a> , <a href="http://www.beanbags.com">www.beanbags.com</a> , <a href="http://www.bedroomfurnituremart.com">www.bedroomfurnituremart.com</a> , <a href="http://www.bedsidetables.com">www.bedsidetables.com</a> , <a href="http://www.benches.com">www.benches.com</a> , <a href="http://www.binoculars.com">www.binoculars.com</a> , <a href="http://www.birdbaths.com">www.birdbaths.com</a> , <a href="http://www.birdcages.com">www.birdcages.com</a> , <a href="http://www.bistrosets.com">www.bistrosets.com</a> , <a href="http://www.bocceballsets.com">www.bocceballsets.com</a> , <a href="http://www.bookcasesgalore.com">www.bookcasesgalore.com</a> , <a href="http://www.bouncesuperstore.com">www.bouncesuperstore.com</a> , <a href="http://www.breastpumpsources.com">www.breastpumpsources.com</a> , <a href="http://www.buyentertainmentcenters.com">www.buyentertainmentcenters.com</a> , <a href="http://www.candelabras.com">www.candelabras.com</a> , <a href="http://www.canopybed.com">www.canopybed.com</a> , <a href="http://www.canopycenter.com">www.canopycenter.com</a> , <a href="http://www.carportsusa.com">www.carportsusa.com</a> , <a href="http://www.carseatsuperstore.com">www.carseatsuperstore.com</a> , <a href="http://www.cartsandwagons.com">www.cartsandwagons.com</a> , <a href="http://www.cedarchests.com">www.cedarchests.com</a> , <a href="http://www.chaiselounges.com">www.chaiselounges.com</a> , <a href="http://www.chandeliersource.com">www.chandeliersource.com</a> , <a href="http://www.changingtablestore.com">www.changingtablestore.com</a> , <a href="http://www.chesssets.com">www.chesssets.com</a> , <a href="http://www.chickencoopsources.com">www.chickencoopsources.com</a> , <a href="http://www.childrenschairs.com">www.childrenschairs.com</a> , <a href="http://www.childrensdesks.com">www.childrensdesks.com</a> , <a href="http://www.childrenstablesandchairs.com">www.childrenstablesandchairs.com</a> , <a href="http://www.chocolatefountains.com">www.chocolatefountains.com</a> ,
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**EXHIBIT A****Group 1**

	<a href="http://www.christeningshop.com">www.christeningshop.com</a> , <a href="http://www.clawfoottubs.com">www.clawfoottubs.com</a> , <a href="http://www.clockstyle.com">www.clockstyle.com</a> , <a href="http://www.closetorganizersource.com">www.closetorganizersource.com</a> , <a href="http://www.clothdiapers.com">www.clothdiapers.com</a> , <a href="http://www.clotheslinesource.com">www.clotheslinesource.com</a> , <a href="http://www.clubchairs.com">www.clubchairs.com</a> , <a href="http://www.coatracks.com">www.coatracks.com</a> , <a href="http://www.coffeemakers.com">www.coffeemakers.com</a> , <a href="http://www.coffeetablesgalore.com">www.coffeetablesgalore.com</a> , <a href="http://www.compostbins.com">www.compostbins.com</a> , <a href="http://www.compostingtoiletstore.com">www.compostingtoiletstore.com</a> , <a href="http://www.computerarmoires.com">www.computerarmoires.com</a> , <a href="http://www.computerdesks.com">www.computerdesks.com</a> , <a href="http://www.contemporaryrugs.com">www.contemporaryrugs.com</a> , <a href="http://www.cornholeplus.com">www.cornholeplus.com</a> , <a href="http://www.cradlesandbassinets.com">www.cradlesandbassinets.com</a> , <a href="http://www.cribs.com">www.cribs.com</a> , <a href="http://www.croquet.com">www.croquet.com</a> , <a href="http://www.cushionsgalore.com">www.cushionsgalore.com</a> , <a href="http://www.dartboards.com">www.dartboards.com</a> , <a href="http://www.daybeds.com">www.daybeds.com</a> , <a href="http://www.desklamps.com">www.desklamps.com</a> , <a href="http://www.desksetshop.com">www.desksetshop.com</a> , <a href="http://www.diaperbags.com">www.diaperbags.com</a> , <a href="http://www.diningchairs.com">www.diningchairs.com</a> , <a href="http://www.diningtables.com">www.diningtables.com</a> , <a href="http://www.directorchairs.com">www.directorchairs.com</a> , <a href="http://www.doghouses.com">www.doghouses.com</a> , <a href="http://www.dogkennels.com">www.dogkennels.com</a> , <a href="http://www.dollhousesgalore.com">www.dollhousesgalore.com</a> , <a href="http://www.doormatsource.com">www.doormatsource.com</a> , <a href="http://www.draftingtables.com">www.draftingtables.com</a> , <a href="http://www.dressers.com">www.dressers.com</a> , <a href="http://www.easelsource.com">www.easelsource.com</a> , <a href="http://www.egardenbridges.com">www.egardenbridges.com</a> , <a href="http://www.ekitchenislands.com">www.ekitchenislands.com</a> , <a href="http://www.electricbikesuperstore.com">www.electricbikesuperstore.com</a> , <a href="http://www.electricfireplacesource.com">www.electricfireplacesource.com</a> , <a href="http://www.electricgrillsdirect.com">www.electricgrillsdirect.com</a> , <a href="http://www.endtables.com">www.endtables.com</a> , <a href="http://www.erockinghorses.com">www.erockinghorses.com</a> , <a href="http://www.esoccergoals.com">www.esoccergoals.com</a> , <a href="http://www.ewineracks.com">www.ewineracks.com</a> , <a href="http://www.exercisebikes.com">www.exercisebikes.com</a> , <a href="http://www.filingcabinets.com">www.filingcabinets.com</a> , <a href="http://www.firepits.com">www.firepits.com</a> , <a href="http://www.fireplacemantels.com">www.fireplacemantels.com</a> , <a href="http://www.fireplacescreens.com">www.fireplacescreens.com</a> , <a href="http://www.fireplacetoolsources.com">www.fireplacetoolsources.com</a> , <a href="http://www.fireproofsafes.com">www.fireproofsafes.com</a> , <a href="http://www.fitnessequipmentexpress.com">www.fitnessequipmentexpress.com</a> , <a href="http://www.floorlampsgalore.com">www.floorlampsgalore.com</a> , <a href="http://www.fonduepots.com">www.fonduepots.com</a> , <a href="http://www.fooddehydrators.com">www.fooddehydrators.com</a> ,
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	<a href="http://www.furnacefilters.com">www.furnacefilters.com</a> , <a href="http://www.garagestoragesource.com">www.garagestoragesource.com</a> , <a href="http://www.gardenstatueshop.com">www.gardenstatueshop.com</a> , <a href="http://www.grandfatherclocks.com">www.grandfatherclocks.com</a> , <a href="http://www.greathomebars.com">www.greathomebars.com</a> , <a href="http://www.greatpubtables.com">www.greatpubtables.com</a> , <a href="http://www.greatrusticfurniture.com">www.greatrusticfurniture.com</a> , <a href="http://www.grillsdirect.com">www.grillsdirect.com</a> , <a href="http://www.halltrees.com">www.halltrees.com</a> , <a href="http://www.hammocks.com">www.hammocks.com</a> , <a href="http://www.handtrucks.com">www.handtrucks.com</a> , <a href="http://www.headboardsource.com">www.headboardsource.com</a> , <a href="http://www.hearthrugs.com">www.hearthrugs.com</a> , <a href="http://www.highchairstore.com">www.highchairstore.com</a> , <a href="http://www.hockeynets.com">www.hockeynets.com</a> , <a href="http://www.hometheaterseating.com">www.hometheaterseating.com</a> , <a href="http://www.hosereelsource.com">www.hosereelsource.com</a> , <a href="http://www.ibattingcages.com">www.ibattingcages.com</a> , <a href="http://www.idogbeds.com">www.idogbeds.com</a> , <a href="http://www.ilightingsource.com">www.ilightingsource.com</a> , <a href="http://www.inflatabletrampolines.com">www.inflatabletrampolines.com</a> , <a href="http://www.inversiontables.com">www.inversiontables.com</a> , <a href="http://www.ipendantlighting.com">www.ipendantlighting.com</a> , <a href="http://www.ipetdoors.com">www.ipetdoors.com</a> , <a href="http://www.ipilatesreformers.com">www.ipilatesreformers.com</a> , <a href="http://www.ipitchingmachines.com">www.ipitchingmachines.com</a> , <a href="http://www.iroomdividers.com">www.iroomdividers.com</a> , <a href="http://www.itorches.com">www.itorches.com</a> , <a href="http://www.itoyboxes.com">www.itoyboxes.com</a> , <a href="http://www.itoystorage.com">www.itoystorage.com</a> , <a href="http://www.jewelryarmoire.com">www.jewelryarmoire.com</a> , <a href="http://www.jewelryboxes.com">www.jewelryboxes.com</a> , <a href="http://www.jonboats.com">www.jonboats.com</a> , <a href="http://www.jukeboxes.com">www.jukeboxes.com</a> , <a href="http://www.justairhockeytables.com">www.justairhockeytables.com</a> , <a href="http://www.justbabydiapers.com">www.justbabydiapers.com</a> , <a href="http://www.justbabynursery.com">www.justbabynursery.com</a> , <a href="http://www.justbacklessbarstools.com">www.justbacklessbarstools.com</a> , <a href="http://www.justbathroomcabinets.com">www.justbathroomcabinets.com</a> , <a href="http://www.justbathroomfurniture.com">www.justbathroomfurniture.com</a> , <a href="http://www.justbookends.com">www.justbookends.com</a> , <a href="http://www.justcounterstools.com">www.justcounterstools.com</a> , <a href="http://www.justcuckoooclocks.com">www.justcuckoooclocks.com</a> , <a href="http://www.justdoublestrollers.com">www.justdoublestrollers.com</a> , <a href="http://www.justdowncomforters.com">www.justdowncomforters.com</a> , <a href="http://www.justentrywayfurniture.com">www.justentrywayfurniture.com</a> , <a href="http://www.justfoosballtables.com">www.justfoosballtables.com</a> , <a href="http://www.justgreenhouses.com">www.justgreenhouses.com</a> , <a href="http://www.justkitchentablesandchairs.com">www.justkitchentablesandchairs.com</a> , <a href="http://www.justleatherbarstools.com">www.justleatherbarstools.com</a> , <a href="http://www.justmetalbarstools.com">www.justmetalbarstools.com</a> , <a href="http://www.justnightstands.com">www.justnightstands.com</a> , <a href="http://www.justnurserygliders.com">www.justnurserygliders.com</a> , <a href="http://www.justoutdoorbarstools.com">www.justoutdoorbarstools.com</a> ,
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**EXHIBIT A****Group 1**

	<a href="http://www.juststoragebenches.com">www.juststoragebenches.com</a> , <a href="http://www.juststoragesheds.com">www.juststoragesheds.com</a> , <a href="http://www.juststrollers.com">www.juststrollers.com</a> , <a href="http://www.justwoodbarstools.com">www.justwoodbarstools.com</a> , <a href="http://www.kidsfurnituremart.com">www.kidsfurnituremart.com</a> , <a href="http://www.kidsrugshop.com">www.kidsrugshop.com</a> , <a href="http://www.ladderballplus.com">www.ladderballplus.com</a> , <a href="http://www.lampsgalore.com">www.lampsgalore.com</a> , <a href="http://www.landscapelightingshop.com">www.landscapelightingshop.com</a> , <a href="http://www.lazysusans.com">www.lazysusans.com</a> , <a href="http://www.leathersofas.com">www.leathersofas.com</a> , <a href="http://www.magazineracks.com">www.magazineracks.com</a> , <a href="http://www.medicinecabinetshop.com">www.medicinecabinetshop.com</a> , <a href="http://www.moccasins.com">www.moccasins.com</a> , <a href="http://www.modelplanes.com">www.modelplanes.com</a> , <a href="http://www.modernfurniture.com">www.modernfurniture.com</a> , <a href="http://www.moreofficefurniture.com">www.moreofficefurniture.com</a> , <a href="http://www.moresaunas.com">www.moresaunas.com</a> , <a href="http://www.musicboxes.com">www.musicboxes.com</a> , <a href="http://www.onlyarearugs.com">www.onlyarearugs.com</a> , <a href="http://www.onlygloves.com">www.onlygloves.com</a> , <a href="http://www.onlyoutdoorfountains.com">www.onlyoutdoorfountains.com</a> , <a href="http://www.onlyslippers.com">www.onlyslippers.com</a> , <a href="http://www.orientalrugs.com">www.orientalrugs.com</a> , <a href="http://www.ottomans.com">www.ottomans.com</a> , <a href="http://www.outdoorart.com">www.outdoorart.com</a> , <a href="http://www.outdoorcarpet.com">www.outdoorcarpet.com</a> , <a href="http://www.outdoorlightingplus.com">www.outdoorlightingplus.com</a> , <a href="http://www.outdoorrugshop.com">www.outdoorrugshop.com</a> , <a href="http://www.paddleboatstore.com">www.paddleboatstore.com</a> , <a href="http://www.pans.com">www.pans.com</a> , <a href="http://www.patiofurnitureusa.com">www.patiofurnitureusa.com</a> , <a href="http://www.patioheaterstore.com">www.patioheaterstore.com</a> , <a href="http://www.patioumbrellas.com">www.patioumbrellas.com</a> , <a href="http://www.petcarriers.com">www.petcarriers.com</a> , <a href="http://www.picnictablesdirect.com">www.picnictablesdirect.com</a> , <a href="http://www.pillowsuperstore.com">www.pillowsuperstore.com</a> , <a href="http://www.plantstands.com">www.plantstands.com</a> , <a href="http://www.playhouses.com">www.playhouses.com</a> , <a href="http://www.playkitchens.com">www.playkitchens.com</a> , <a href="http://www.playpens.com">www.playpens.com</a> , <a href="http://www.poolfurniture.com">www.poolfurniture.com</a> , <a href="http://www.pooltablelights.com">www.pooltablelights.com</a> , <a href="http://www.pooltoysource.com">www.pooltoysource.com</a> , <a href="http://www.porchswings.com">www.porchswings.com</a> , <a href="http://www.potracksgalore.com">www.potracksgalore.com</a> , <a href="http://www.pottingbenches.com">www.pottingbenches.com</a> , <a href="http://www.pressurecookersandcanners.com">www.pressurecookersandcanners.com</a> , <a href="http://www.quiltracks.com">www.quiltracks.com</a> , <a href="http://www.rabbitcagesource.com">www.rabbitcagesource.com</a> , <a href="http://www.radarbusters.com">www.radarbusters.com</a> , <a href="http://www.rainbarrelsource.com">www.rainbarrelsource.com</a> , <a href="http://www.reclinersplus.com">www.reclinersplus.com</a> , <a href="http://www.reelmowersource.com">www.reelmowersource.com</a> ,
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**EXHIBIT A****Group 1**

	<p> <a href="http://www.ridingtoys.com">www.ridingtoys.com</a>,  <a href="http://www.rockingchairs.com">www.rockingchairs.com</a>,  <a href="http://www.rowingmachinesource.com">www.rowingmachinesource.com</a>,  <a href="http://www.servingtrays.com">www.servingtrays.com</a>,  <a href="http://www.sewingtableshop.com">www.sewingtableshop.com</a>,  <a href="http://www.shagrugshop.com">www.shagrugshop.com</a>,  <a href="http://www.showercurtainsgalore.com">www.showercurtainsgalore.com</a>,  <a href="http://www.silkpalms.com">www.silkpalms.com</a>,  <a href="http://www.simplyaccentchairs.com">www.simplyaccentchairs.com</a>,  <a href="http://www.simplyarbors.com">www.simplyarbors.com</a>,  <a href="http://www.simplybeds.com">www.simplybeds.com</a>,  <a href="http://www.simplybunkbeds.com">www.simplybunkbeds.com</a>,  <a href="http://www.simplyfountains.com">www.simplyfountains.com</a>,  <a href="http://www.simplyhangers.com">www.simplyhangers.com</a>,  <a href="http://www.simplykidsbeds.com">www.simplykidsbeds.com</a>,  <a href="http://www.simplyloftbeds.com">www.simplyloftbeds.com</a>,  <a href="http://www.simplymicroscopes.com">www.simplymicroscopes.com</a>,  <a href="http://www.simplymirrors.com">www.simplymirrors.com</a>,  <a href="http://www.simplyplanters.com">www.simplyplanters.com</a>,  <a href="http://www.simplyplatformbeds.com">www.simplyplatformbeds.com</a>,  <a href="http://www.simplypondkits.com">www.simplypondkits.com</a>,  <a href="http://www.simplytrellises.com">www.simplytrellises.com</a>,  <a href="http://www.simplyvanities.com">www.simplyvanities.com</a>,  <a href="http://www.skitube.com">www.skitube.com</a>, <a href="http://www.sleds.com">www.sleds.com</a>,  <a href="http://www.smallappliancesource.com">www.smallappliancesource.com</a>,  <a href="http://www.sofatables.com">www.sofatables.com</a>,  <a href="http://www.solarlightstore.com">www.solarlightstore.com</a>,  <a href="http://www.spottingscopes.com">www.spottingscopes.com</a>,  <a href="http://www.swingsetsource.com">www.swingsetsource.com</a>,  <a href="http://www.swivelbarstoolstore.com">www.swivelbarstoolstore.com</a>,  <a href="http://www.tabletenniszone.com">www.tabletenniszone.com</a>,  <a href="http://www.telescopes.com">www.telescopes.com</a>,  <a href="http://www.tiffanylampsgalore.com">www.tiffanylampsgalore.com</a>,  <a href="http://www.toddlerbeds.com">www.toddlerbeds.com</a>,  <a href="http://www.toiletseatsource.com">www.toiletseatsource.com</a>,  <a href="http://www.toolboxesdirect.com">www.toolboxesdirect.com</a>,  <a href="http://www.tracklightingsource.com">www.tracklightingsource.com</a>,  <a href="http://www.trailerhitches.com">www.trailerhitches.com</a>,  <a href="http://www.trampolinesplus.com">www.trampolinesplus.com</a>,  <a href="http://www.trundlebedsdirect.com">www.trundlebedsdirect.com</a>,  <a href="http://www.tvtraysource.com">www.tvtraysource.com</a>,  <a href="http://www.videogamechairs.com">www.videogamechairs.com</a>,  <a href="http://www.volleyballheadquarters.com">www.volleyballheadquarters.com</a>,  <a href="http://www.weatherinstruments.com">www.weatherinstruments.com</a>,  <a href="http://www.wickerfurniture.com">www.wickerfurniture.com</a>,  <a href="http://www.windchime.com">www.windchime.com</a>,  <a href="http://www.winecoolers.com">www.winecoolers.com</a>,  <a href="http://www.worldglobes.com">www.worldglobes.com</a>, and  <a href="http://www.wreathsgalore.com">www.wreathsgalore.com</a> </p>
HSN Interactive LLC and HSN LP	<p> <a href="http://www.hsn.com">www.hsn.com</a>  <a href="http://www.jewelry.hsn.com">www.jewelry.hsn.com</a>  <a href="http://www.fashion.hsn.com">www.fashion.hsn.com</a>  <a href="http://www.shoes-handbags.hsn.com">www.shoes-handbags.hsn.com</a>  <a href="http://www.home-decor.hsn.com">www.home-decor.hsn.com</a> </p>

**EXHIBIT A****Group 1**

	<a href="http://www.home-solutions.hsn.com">www.home-solutions.hsn.com</a> <a href="http://www.health-fitness.hsn.com">www.health-fitness.hsn.com</a>
IAC Search & Media, Inc.	<a href="http://www.ask.com">www.ask.com</a>
Iconix Brand Group, Inc. and IP Holdings, Inc.	<a href="http://www.rocawear.com">www.rocawear.com</a> <a href="http://www.rampage.com">www.rampage.com</a> <a href="http://www.danskin.com">www.danskin.com</a>
J.C. Penney Corporation, Inc.	<a href="http://www.jcpenney.com">www.jcpenney.com</a>
JAG Footwear, Accessories and Retail Corporation	<a href="http://www.anneklein.com">www.anneklein.com</a> <a href="http://www.jessicasimpsoncollection.com">www.jessicasimpsoncollection.com</a> <a href="http://www.shoewoo.com/">www.shoewoo.com/</a> ( <a href="http://www.bandolino.com">http://www.bandolino.com</a> ) <a href="http://www.ninewest.com/">www.ninewest.com/</a> <a href="http://www.jny.com">www.jny.com</a> <a href="http://www.easyspirit.com">www.easyspirit.com</a>
JPMorgan Chase & Co.	<a href="http://www.chase.com">www.chase.com</a>
Juicy Couture, Inc. and Liz Claiborne, Inc.	<a href="http://www.juicycouture.com">www.juicycouture.com</a>
Kmart Corporation; Sears Brands, LLC; Sears Holdings Corporation; Sears, Roebuck and Co.	<a href="http://www.craftsman.com">www.craftsman.com</a> <a href="http://www.kenmore.com">www.kenmore.com</a> <a href="http://www.thegreatindoors.com">www.thegreatindoors.com</a> <a href="http://www.landsend.com">www.landsend.com</a> <a href="http://www.sears.com">www.sears.com</a> <a href="http://www.searspartsdirect.com">www.searspartsdirect.com</a> <a href="http://www.kmart.com">www.kmart.com</a>
LG Electronics USA, Inc.	<a href="http://www.lg.com">www.lg.com</a> <a href="http://www.lghomnet.com">www.lghomnet.com</a>
Lowes Home Centers, Inc.	<a href="http://www.lowes.com">www.lowes.com</a>
Macy's West Stores, Inc. and Macys.com, Inc.	<a href="http://www.macys.com">www.macys.com</a>
Maghound Enterprises Inc.	<a href="http://www.maghound.com">www.maghound.com</a>
MapQuest, Inc.	<a href="http://www.mapquest.com">www.mapquest.com</a>
Motorola Mobility, Inc.	<a href="http://www.motorola.com">www.motorola.com</a>
Netflix, Inc.	<a href="http://www.netflix.com">www.netflix.com</a>
New Balance Athletic Shoe, Inc.	<a href="http://www.newbalance.com">www.newbalance.com</a> <a href="http://www.shopnewbalance.com">www.shopnewbalance.com</a> <a href="http://www.shopwarrior.com">www.shopwarrior.com</a> <a href="http://www.shoppfflyers.com">www.shoppfflyers.com</a>
Nike, Inc.	<a href="http://www.nike.com">www.nike.com</a>
Nissan North America, Inc.	<a href="http://www.nissanusa.com">www.nissanusa.com</a>
Nordstrom, Inc.	<a href="http://www.nordstrom.com">www.nordstrom.com</a>
Office Depot, Inc.	<a href="http://www.officedepot.com">www.officedepot.com</a>
Onestop Internet, Inc.	<a href="http://www.rampage.com">www.rampage.com</a> ; <a href="http://www.rocawear.com">www.rocawear.com</a> <a href="http://www.danskin.com">www.danskin.com</a>
Oriental Trading Company, Inc.	<a href="http://www.orientaltrading.com">www.orientaltrading.com</a>
Patagonia, Inc.	<a href="http://www.patagonia.com">www.patagonia.com</a>
QVC, Inc.	<a href="http://www.qvc.com">www.qvc.com</a>
Ralph Lauren Media, LLC	<a href="http://www.rugby.com">www.rugby.com</a>
Recreational Equipment, Inc.	<a href="http://www.rei.com">www.rei.com</a>
Redbox Automated Retail, LLC	<a href="http://www.redbox.com">www.redbox.com</a>
Russell Brands, LLC	<a href="http://www.russellathletic.com">www.russellathletic.com</a>

**EXHIBIT A****Group 1**

	<a href="http://www.jerzees.com">www.jerzees.com</a> <a href="http://www.russelloutdoorsgear.com">www.russelloutdoorsgear.com</a>
Southwest Airlines Co.	<a href="http://www.southwest.com">www.southwest.com</a>
Staples, Inc.	<a href="http://www.staples.com">www.staples.com</a>
Subaru of America, Inc.	<a href="http://www.subaru.com">www.subaru.com</a> <a href="http://www.subaru-msm.com/global">www.subaru-msm.com/global</a> <a href="http://www.robinamerica.com/global">www.robinamerica.com/global</a> <a href="http://www.subaru-global.com/global">www.subaru-global.com/global</a>
Sunglass Hut Trading, LLC	<a href="http://www.sunglasshut.com">www.sunglasshut.com</a>
Target Corporation	<a href="http://www.target.com">www.target.com</a>
The Gap, Inc.	<a href="http://www.gap.com">www.gap.com</a> (including any subdomains), including without limitation <a href="http://athleta.gap.com">athleta.gap.com</a> (redirect from <a href="http://www.athleta.com">www.athleta.com</a> ), <a href="http://bananarepublic.gap.com">bananarepublic.gap.com</a> (redirect from <a href="http://www.bananarepublic.com">www.bananarepublic.com</a> ), <a href="http://oldnavy.gap.com">oldnavy.gap.com</a> (redirect from <a href="http://www.oldnavy.com">www.oldnavy.com</a> ), and <a href="http://piperlime.gap.com">piperlime.gap.com</a> (redirect from <a href="http://www.piperlime.com">www.piperlime.com</a> )
The Goodyear Tire & Rubber Company	<a href="http://www.goodyear.com">www.goodyear.com</a> <a href="http://www.racegoodyear.com">www.racegoodyear.com</a> <a href="http://www.sava-tires.com">www.sava-tires.com</a> <a href="http://www.kellytires.com">www.kellytires.com</a> <a href="http://www.goodyearaviation.com">www.goodyearaviation.com</a>
Time Inc.	<a href="http://www.maghound.com">www.maghound.com</a> <a href="http://www.coastalliving.com">www.coastalliving.com</a> <a href="http://www.cookinglight.com">www.cookinglight.com</a> <a href="http://www.myhomeideas.com">www.myhomeideas.com</a> <a href="http://www.ew.com">www.ew.com</a> <a href="http://www.essence.com">www.essence.com</a> <a href="http://www.instyle.com">www.instyle.com</a> <a href="http://www.life.com">www.life.com</a> <a href="http://www.carbloggers.com">www.carbloggers.com</a> <a href="http://www.stylefeeder.com">www.stylefeeder.com</a>
Toyota Motor Sales USA, Inc.	<a href="http://www.toyota.com">www.toyota.com</a>
TripAdvisor LLC	<a href="http://www.tripadvisor.com">www.tripadvisor.com</a>
US Airways, Inc.	<a href="http://www.usairways.com">www.usairways.com</a>
VF Outdoor, Inc.	<a href="http://www.thenorthface.com">www.thenorthface.com</a>
Victoria's Secret Direct Brand Management, LLC	<a href="http://www.victoriassecret.com">www.victoriassecret.com</a>
Volkswagen Group of America, Inc., f/k/a Volkswagen Of America, Inc., and d/b/a Audi of America, Inc.	<a href="http://www.audiusa.com">www.audiusa.com</a> <a href="http://www.vw.com">www.vw.com</a>
Williams Sonoma, Inc.	<a href="http://www.williams-sonoma.com">www.williams-sonoma.com</a> <a href="http://www.potterybarn.com">www.potterybarn.com</a> <a href="http://www.potterybarnkids.com">www.potterybarnkids.com</a> <a href="http://www.pbteen.com">www.pbteen.com</a> <a href="http://www.westelm.com">www.westelm.com</a> <a href="http://www.wshome.com">www.wshome.com</a>
Zappos Retail, Inc.	<a href="http://www.zappos.com">www.zappos.com</a> <a href="http://my.zappos.com">my.zappos.com</a>

**EXHIBIT A**

**Group 1**

	<a href="http://my.zappos.com/products">my.zappos.com/products</a>
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# **Exhibit B**

**EXHIBIT B****Group 2**

<b>Party</b>	<b>Denied Summary Judgment</b>	<b>Granted Summary Judgment</b>
Andersen Windows, Inc.	<a href="http://www.andersenstormdoorsathomedepot.com">www.andersenstormdoorsathomedepot.com</a>	
AOL Inc.	<a href="http://www.dailyfinance.com">www.dailyfinance.com</a> (Example 1)	<a href="http://www.aol.com">www.aol.com</a> (autos.aol.com) mail.aol.com www.cambio.com <a href="http://www.dailyfinance.com">www.dailyfinance.com</a> (Example 2) www.seed.com www.winamp.com
Bass Pro Outdoors Online LLC	<a href="http://www.basspro.com">www.basspro.com</a>	
BergdorfGoodman.com, LLC	<a href="http://www.bergdorfgoodman.com">www.bergdorfgoodman.com</a>	
Bloomingdale's, Inc.	<a href="http://www.bloomingdales.com">www.bloomingdales.com</a>	
Brunswick Corporation and Brunswick Bowling & Billiards Corporation	<a href="http://www.bowlbrunswick.com">www.bowlbrunswick.com</a> <a href="http://www.bayliner.com">www.bayliner.com</a>	<a href="http://www.brunswickbilliards.com">www.brunswickbilliards.com</a>
Continental Airlines, Inc.	<a href="http://www.continental.com">www.continental.com</a>	
Disney Online		The following websites were not included in the Defendants' Summary Judgment Motion since the Court had not ruled on Parallel's Motion For Leave To Amend Infringement Contentions For Disney Online (Dkt. No. 401): www.toontown.com, www.piratesonline.com, www.babyzone.com, www.family.com www.familyfun.com See Joint Motion Of Plaintiff And Defendant Disney Online To Join Walt Disney Parks And Resorts Online As A Named Defendant In This Action regarding the stipulation regarding these websites.
Google Inc.	groups.google.com images.google.com  <a href="http://www.google.com/cse/">www.google.com/cse/</a> ( <i>disputed as to claims 1, 2, 3, 5, 6, 14, 15, 17, 22, 23, 26</i> )	<a href="http://www.google.com/adsense/">www.google.com/adsense/</a> <a href="http://www.google.com/analytics/">www.google.com/analytics/</a> <a href="http://www.google.com/calendar/">www.google.com/calendar/</a> <a href="http://www.google.com/cse/">www.google.com/cse/</a> ( <i>disputed as to claims 1, 2, 3, 5, 6, 14, 15, 17, 22, 23, 26; not disputed as to claims 10, 11, 13, and 19</i> ) <a href="http://www.google.com/finance/">www.google.com/finance/</a> <a href="http://www.google.com/ig/">www.google.com/ig/</a> <a href="http://www.google.com/reader/">www.google.com/reader/</a> <a href="http://www.google.com/products/">www.google.com/products/</a> <a href="http://www.google.com/shoppinglist/">www.google.com/shoppinglist/</a> adwords.google.com books.google.com checkout.google.com chrome.google.com/webstore docs.google.com mail.google.com Google Buzz maps.google.com picasa.google.com translate.google.com

**EXHIBIT B****Group 2**

Party	Denied Summary Judgment	Granted Summary Judgment
		wave.google.com www.admob.com www.youtube.com local.google.com Gmail API Google Web Elements Google AJAX Search API Google AJAX Feeds API Google AJAX Language API Google Data API Google Earth API Google Visualization API Google Friend Connect API Google Auto Suggest Orkut Google Web Toolkit
Hasbro, Inc.	<a href="http://www.hubworld.com">www.hubworld.com</a>	<a href="http://www.hasbro.com">www.hasbro.com</a>
Jill Acquisition LLC	<a href="http://www.jill.com">www.jill.com</a>	
Kayak Software Corp.	<a href="http://www.kayak.com">www.kayak.com</a>	
Musician's Friend, Inc.	<a href="http://www.musiciansfriend.com">www.musiciansfriend.com</a>	
Nautica Apparel, Inc., and Nautica Retail USA, Inc.	<a href="http://www.nautica.com">www.nautica.com</a>	
Orbitz, LLC; Orbitz Away, LLC; Orbitz Worldwide, Inc.; Orbitz Worldwide, LLC	<a href="http://www.adventurefinder.com">www.adventurefinder.com</a> <a href="http://www.gorp.com">www.gorp.com</a>	<a href="http://www.cheaptickets.com">www.cheaptickets.com</a> <a href="http://www.eBookers.com">www.eBookers.com</a> <a href="http://www.orbitz.com">www.orbitz.com</a> <a href="http://www.trip.com">www.trip.com</a>
Shoebuy.com, Inc.	<a href="http://www.outletbuy.com">www.outletbuy.com</a> <a href="http://www.shoebuy.com">www.shoebuy.com</a> <a href="http://www.clothesbuy.com">www.clothesbuy.com</a> <a href="http://www.bagsbuy.com">www.bagsbuy.com</a>	
Sony Corporation of America and Sony Electronics Inc.	<a href="http://www.sonystyle.com">www.sonystyle.com</a>	
The Neiman Marcus Group, Inc.	<a href="http://www.neimanmarcus.com">www.neimanmarcus.com</a> (claims 1, 2, 5, 6, 14, 15, 17, 22, 23, 26)	<a href="http://www.neimanmarcus.com">www.neimanmarcus.com</a> (claims 10, 11, 13, and 19)
Walt Disney Parks and Resorts Online	disneyparks.disney.go.com	disneyland.disney.go.com
Wolverine World Wide, Inc.	<a href="http://www.catfootwear.com">www.catfootwear.com</a> <a href="http://www.chacosusa.com">www.chacosusa.com</a> <a href="http://www.cushe.com">www.cushe.com</a> <a href="http://www.hushpuppies.com">www.hushpuppies.com</a> <a href="http://www.merrell.com">www.merrell.com</a> <a href="http://www.sebago.com">www.sebago.com</a> <a href="http://www.wolverine.com">www.wolverine.com</a>	